

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re

Case No. 12-12020 (MG)

Residential Capital, LLC, et al.,

Chapter 11

Debtors.

(Jointly Administered)

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ORDER GRANTING MOTION FOR CLARIFICATION
OF FINAL SUPPLEMENTAL ORDER ENTERED JULY 13, 2012 OR,
IN THE ALTERNATIVE, RELIEF FROM THE AUTOMATIC STAY

Upon motion by Lorraine McNeal (the “Motion”) for clarification of this Court’s Final Supplemental Order Under Bankruptcy Code Sections 105(A), 362, 363, 502, 1107(A), and 1108 and Bankruptcy Rule 9019 (I) Authorizing the Debtors to Continue Implementing Loss Mitigation Programs; (II) Approving Procedures for Compromise and Settlement of Certain Claims, Litigations and Causes of Action; (III) Granting Limited Stay Relief to Permit Foreclosure and Eviction Proceedings, Borrower Bankruptcy Cases, and Title Disputes to Proceed; and (IV) Authorizing and Directing the Debtors to Pay Securitization Trustee Fees and Expenses, entered July 13, 2012 (the “Final Supplemental Order”) or, in the alternative, relief from the automatic stay imposed by 11 U.S.C. § 362 to authorize and permit publication of the unpublished opinion and order (the “Avoidance Order”) of the United States Court of Appeals for the 11th Circuit, entered May 11, 2012 in *Lorraine McNeal v. GMAC Mortgage, LLC, Homecomings Financial, LLC (a GMAC company)*, Case No. 11-11352, and after notice and a hearing held on July 24, 2013, it is hereby ORDERED AND DECLARED that:

WHEREAS, the 11th Circuit Court of Appeals has, in its Order entered April 2, 2013 in *McNeal v. GMAC, supra*, referred to this Court the determination whether the automatic stay reaches the matters involved in that appeal and, if so, whether relief from that automatic stay should be granted for that appeal;

WHEREAS, the action requested by the Motion would not affect any debtor in this case or the estate of any such debtor and therefore is not subject to the automatic stay; and

WHEREAS, the substantive actions that are the subject of McNeal’s appeal to the 11th Circuit Court of Appeals would in any event be permitted by paragraphs 15(a)(iii) and (iv) of this Court’s Final Supplemental Order,

THEREFORE the Motion is hereby granted and the Final Supplemental Order is hereby clarified, and relief from the automatic stay granted, to authorize and permit the publication of the Avoidance Order.

IT IS SO ORDERED.

Dated: _____, 2013
New York, NY

UNITED STATES BANKRUPTCY JUDGE